UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/517,442	12/23/2004	Juha Kallio	59864.01052	5666

32294   7590   09/05/2007
SQUIRE, SANDERS & DEMPSEY L.L.P.
14TH FLOOR
8000 TOWERS CRESCENT
TYSONS CORNER, VA 22182

EXAMINER
MEHRPOUR, NAGHMEH

ART UNIT	PAPER NUMBER
2617	

MAIL DATE	DELIVERY MODE
09/05/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/517,442	KALLIO, JUHA
	Examiner	**Art Unit**	
	Naghmeh Mehrpour	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *22 August 2007*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *28-57* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *28-57* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/22/07

has been entered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form

the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by
> another filed in the United States before the invention by the applicant for patent or (2) a patent
> granted on an application for patent by another filed in the United States before the invention by the
> applicant for patent, except that an international application filed under the treaty defined in section
> 351(a) shall have the effects for purposes of this subsection of an application filed in the United States
> only if the international application designated the United States and was published under Article 21(2)
> of such treaty in the English language.

2.   **Claims 28-52, 54-57,** are rejected under 35 U.S.C. 102(e) as being anticipated

by Brescia et al. (US patent 7,068,189 B2).

Regarding claims 1, 41, 53-56, Brescia inherently teaches a communication for

providing event specific profile to mobile terminal (See figure 1, 24) comprising:

    determining at least one capability of a mobile terminal (col 3 lines 5-59);

    an application server associated with the event (col 3 lines 44-59, col 6 lines 49-

67);

    a mobile communication network for receiving even specific characterizes from

the application server (col 3 lines 19-59); and

    at least one mobile terminal for connection in the network (0048, figure 1);

wherein the mobile network notifies the application server if the mobile terminal is

associated with the server transmits the event specific profile to the mobile terminal (col

3 lines 5-67).

Regarding claims 29, 42, Brescia teaches a method wherein the profile includes a

collection of user setting or preferences (col 4 lines 14-67).

Regarding claims 30, 43, Brescia teaches a method wherein the profile includes user

manageable settings (col 4 lines 14-67).

Regarding claims 31, 44, Brescia teaches a method wherein the profile includes a

custom or event specific profile package (col 3 lines 44-66).

Regarding claims 32, 45, 57, Brescia teaches a method wherein the step of installing

the profile in the mobile station (col 1 lines 38-54).

Regarding claims 33, 46, 48, Brescia teaches a method wherein the event is a location

dependent event, the step of detecting an association of a mobile terminal with the

event comprising detecting a location of the mobile (col 1 lines 54-66),

Regarding claims 34, 47, Brescia teaches a method wherein the event is a time

dependent, the step of detecting an association of a mobile terminal with the detecting

the location of mobile within a predetermined time period (col 4 lines 2-35).

Regarding claim 35, Brescia teaches a method wherein the predetermined period

correspond to duration of the event (col 4 lines 2-35).

Regarding claim 36, Brescia teaches a method comprising removing the profile from the

mobile responsive to the termination of the event (col 1 lines 39-67, col 2 lines 1-19).

Regarding claim 38, Brescia teaches a method wherein removing step comprising

transmitting a termination signal to the mobile terminal responsive to which the profile is

deleted (col 1 lines 39-59).

Regarding claim 39, Brescia teaches a method wherein the profile includes a link to event specific information (col 1 lines 39-59).

Regarding claim 40, Brescia teaches a method wherein the profile includes a link to an instant community (col 1 lines 39-59).

Regarding claim 49, Brescia teaches an application server wherein the second communication interface receives details of a mobile located in the location (col 1 lines 39-59).

Regarding claim 50, Brescia inherently teaches an application server wherein the details include the identity of the mobile (col 7 lines 34-62).

Regarding claim 51, Brescia teaches an application server wherein the first and the second communication interfaces are a fixed line communication interface (see figure 1, (col 1 lines 39-59, col 3 lines 5-33).

Regarding claim 52, Brescia teaches an application server wherein the third communication interface is a mobile communication interface (figure 1, col 3 lines 5-33).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3.   **Claim 53,** is rejected under 35 U.S.C. 103(a) as being unpatentable over Brescia

et al. (US patent 7,068,189 B2) in view of Murto et al. (US Patent 7,249,100 B2).

Regarding claim 53, Brescia fails to teach an application server wherein the third

communication interface is a GPRS or Bluetooth interface. However, Murto teaches an

application server wherein the third communication interface is a GPRS or Bluetooth

interface (col 6 lines 27-58, col 6 lines 19-35). Therefore, it would have been obvious to

ordinary skill in the art at the time the invention was made to combine the above

teaching of Murto with Brescia, in order to allow the user to select an item from the

returned business list message and drill-down in the selected business entity data using

base station triangulation connection through a Bluetooth net.

Response to Arguments

4.   Applicant's arguments filed 4/13/07 have been fully considered but they are not

persuasive.

The references made herein are done so for the convenience of the
applicant. They are in no way meant to limit the reference. The
reference MUST be considered in its entirety.

In response to the applicant's argument that Brescia fails to teach *"transmitting the profile to the mobile, the information is send to the selected device not the server"*. The Examiner asserts that Brescia provides delivering information, such as a notification or other content, to a select communication device when defined event and location criteria are satisfied. A profile is established to define the event and location criteria along with a method for delivering the information. Typically, the receipt of event indicia indicating the occurrence of an event is compared with the event criteria in the profile. When the event indicia satisfies the event criteria, location indicia is gathered and compared with the defined location criteria. An event occurrence may be time based, location based, user initiated, or initiated by an external medium, such as a mobile terminal, communication control devices within the communication network, or an event service. A content service may be used to provide content when select event and location indicia correlate with event and location criteria defined by a profile. The content may include any type of information desired by a user and defined in the profile. Further providing notifications defined in a profile or provided with an event trigger, and therefore, would not need the services of a remote content service. Based on select criteria, the system is capable of delivering information, such as notifications and content, to any number of devices, which are typically serviced by a circuit-switched network. **These devices may include, but are not limited to, traditional land line telephones, computers, mobile terminals, such as personal digital assistants (PDAs), mobile telephones, pagers, and the like. In addition to devices serviced by circuit-switched networks, wireless**

packet-switched devices, such as properly configured mobile telephones, may communicate with a traditional packet-switched network via wireless packet-switched networks. In the latter case, information is communicated between the wireless packet-switched device and devices on the packet-switched network without conversion to a circuit-switched format, such as the traditional time-division multiplexing (TDM).

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., profile recited as such as the "look and feel" of the user) are not recited in the rejected claims). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Conclusion

5.   **Any responses to this action should be mailed to:**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naghmeh Mehrpour whose telephone number is 571-272-7913. The examiner can normally be reached on 8:00- 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah be reached (571) 272-7904.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NM

August 31, 2007